

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**HB 2467 - SB 2566**

February 18, 2014

**SUMMARY OF BILL:** Prohibits a person, religious or denominational organization to be required to provide any services, accommodations, advantages, facilities, goods, or privileges; provide counseling, adoption, foster care, or other social services; provide employment or employment benefits; or solemnize a civil union, domestic partnership, or marriage not recognized in this state.

Prohibits the refusal by a person or a religious or denominational organization from giving rise to a civil claim or cause of action under state or local law challenging the refusal, or an action by the state or local government to penalize, withhold benefits from, or discriminate against any person or religious or denominational organization. If the state, local government, or any person asserts a cause of action or takes adverse action against a person or religious or denominational organization, the person or organization shall be entitled to recover all reasonable attorneys' fees and costs.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

**Assumptions:**

- According to the Human Rights Commission, the provision of the bill could result in an increase in public accommodation complaints on the basis of sex/gender. Any increase will not be significant and can be accommodated utilizing existing staff and resources.
- According to the Department of Human Resources, any persons employed by the state would be required to perform the functions of social counseling, unemployment, foster care, processing employment applications, etc. as a condition of employment with the respective state agency and would not be able to refuse to provide such services as a state employee. Any impact is not significant.
- According to the Department of Human Services, the department does not inquire about the sexual orientation of applicants applying for programs; therefore, there is no fiscal impact.
- According to the Department of Children's Services, the bill will not affect the department. It is assumed that the provisions of the bill will not have a significant impact on the foster care and adoption programs.
- According to the Department of Finance and Administration, Division of Benefits Administration, the state employee sponsored health plan document specifically defines

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marriage as a “legally married spouse; Article XI, Section 18 of the Tennessee Constitution provides that a marriage from another state that does not constitute the marriage of one man and one woman is void and unenforceable in this state.” There will be no impact on the department.

- According to the Department of Commerce and Insurance, the bill is not expected to have any impact on existing programs or policies.
- According to the Department of Health, the provisions of the bill could impact services provided through third party vendors. Any direct fiscal impact to the department and the services provided directly by the department will not be significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/kml